

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

RABBIT TANAKA CORPORATION,)	
USA,)	
a Texas Corporation,)	08cv0966
)	JUDGE DOW
Plaintiff,)	MAGISTRATE JUDGE KEYS
)	
vs.)	
)	
CAN YOU IMAGINE,)	
a California Corporation,)	
Defendant.)	

**DEFENDANT CAN YOU IMAGINE’S UNOPPOSED MOTION FOR A THIRD
EXTENSION OF TIME TO ANSWER, MOVE OR OTHERWISE PLEAD TO
PLAINTIFF’S COMPLAINT AND TO ADJOURN THE SET STATUS HEARING**

I. Relief Sought

Defendant, Can You Imagine is a California corporation having its principal place of business at 9314 Eton Avenue, Chatsworth, California 91311. Plaintiff, Rabbit Tanaka Corporation, USA is a Texas corporation having its principal place of business at 5925 Lovell Avenue, Ft. Worth, Texas 76107. This Court previously ordered a thirty (30) day extension up to and including May 30, 2008 for Can You Imagine, to answer, move or otherwise plead to Plaintiff’s Complaint. The parties now request a third extension of time, namely an additional thirty-one (31) day extension up to and including June 30, 2008, to answer, move or otherwise plead to Plaintiff’s Complaint. This extension is requested because the parties are in agreement in principal as to settlement and are finalizing the necessary papers.

Further, the parties seek to adjourn the Status Hearing set for June 16, 2008, until the week of July 14, 2008, or when the Court is available thereafter. Defendant respectfully requests that such conference be scheduled at 10 am or later as Defendant's lead Counsel is located in New York and will have to travel to attend the conference or if possible be permitted to appear by telephone. The reason for such adjournment is that the parties are in agreement in principal as to the settlement terms and need further time to finalize the documents of such settlement.

Plaintiff's counsel has indicated that Plaintiff consents to the extension and adjournment being sought by Defendant herein and will not oppose this motion. This Motion is not made for delay of this litigation and is made for purposes of furthering settlement.

II. Conclusion

For the foregoing reasons, Defendant respectfully requests that:

- a) this Court grant Defendant's Motion to Extend Time for Defendant to answer, move or otherwise plead to Plaintiff's Complaint, extending the time to respond for an additional thirty-one (31) days until June 30, 2008.
- b) This Court grant Defendant's Motion to Adjourn the Status hearing set for June 16, 2008, until the week of July 14, 2008, at 10 am or later.

Respectfully submitted,

Dated: May 27, 2008

s/Ted S. P. Li

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Of-Counsel for Defendant,
Can You Imagine

CERTIFICATE OF SERVICE

I hereby certify that on May 27, 2008, a copy of the foregoing **DEFENDANT CAN YOU IMAGINE'S UNOPPOSED MOTION FOR A THIRD EXTENSION OF TIME TO ANSWER, MOVE OR OTHERWISE PLEAD TO PLAINTIFF'S COMPLAINT AND TO ADJOURN THE SET STATUS HEARING** was filed with U.S. District Court, Northern District of Illinois, Eastern Division, in accordance with its Electronic Case Filing (ECF) procedures and served upon Plaintiff via e-mail thru ECF to:

Mr. Robert J. Schneider
Mr. John R. Crossan
CHAPMAN AND CUTLER
111 W. Monroe Street
Chicago, Illinois 60603

s/Ted S.P. Li
Ted S. P. Li (NDIL #6280471)